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Attorneys for Defendant  
HOME DEPOT U.S.A., INC. (erroneously sued herein  
as HOME DEPOT USA, INC.)

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 GARY ARNOLD, an individual,

13 Plaintiff,

14 v.

15 HOME DEPOT USA, INC.; a foreign  
16 corporation and DOES I-V,

17 Defendants.

Case No. 3:20-cv-00035-MMD-WGC

**STIPULATED DISCOVERY PLAN  
AND SCHEDULING ORDER IN  
COMPLIANCE WITH LR 26-1(b) TO  
EXTEND EXPERT DISCLOSURE  
DEADLINES (First Request)**

18 Plaintiff GARY ARNOLD and Defendant HOME DEPOT U.S.A., INC. ("Home  
19 Depot") by and through their attorneys of record hereby jointly stipulate as follows and  
20 respectfully request this Honorable Court order a continuance of the expert discovery deadlines  
21 for 60 days pursuant to FRCP 26 and Local Rule 26-1.

- 22 1. Discovery completed: To date, Home Depot has been informally notified by counsel for  
23 HUB of a conditional acceptance of its tender and we anticipate a decision on the  
24 substitution of counsel to be filed this week;
- 25 2. Discovery remaining to be completed: To date, Mr. Arnold is still waiting for his  
26 examination before the workmen's compensation agency to receive his rating on the  
27 nature and extent of his alleged disability.  
28

3. Description of why remaining discovery has not been completed within the time limits previously set by the Court: The Parties have good cause for the 60 day extension of the expert discovery deadlines. Specifically, Plaintiff's Counsel has been following up with the workman's compensation Board for a final examination date of Mr. Arnold. Home Depot has sent six letters regarding the status of the tender. Counsel for Home Depot has received an informal acceptance of the tender and is awaiting a formal determination on the substitution of counsel.
4. Proposed schedule for completing all remaining discovery: Based on the foregoing, the parties respectfully request that the Court grant their joint request to extend the expert discovery deadlines, as follows:

	Current Dates	New Dates
Last day to make initial expert disclosures	10/9/20	12/09/20
Last day to make rebuttal expert disclosures	11/6/20	1/6/20

Pursuant to Local Rule 26-4, this Stipulation was agreed on more than twenty-one (21) days before the first deadline being extended but was not filed due to a unforeseen delay in revising the document.

**IT IS SO STIPULATED.**

DATED: September 21, 2020

KILPATRICK BULLENTINI

By */s/ Charles M. Kilpatrick*  
 CHARLES KILPATRICK  
 Attorneys for Plaintiff  
 GARY ARNOLD

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1 DATED: September 21, 2020

BURNHAM BROWN

2  
3 By /s/ Lynn V. Rivera

4 LYNN V. RIVERA

Attorneys for Defendant

5 HOME DEPOT U.S.A., INC. (erroneously  
sued herein as HOME DEPOT USA, INC.)

6  
7 **ORDER**

8 Upon consideration of the Parties' Stipulation and having found good cause exists, the  
9 Court rules as follows: the parties' request to continue the expert discovery deadlines by 60  
10 days, with proposed dates set forth above, is granted.

11 IT IS SO ORDERED.

12  
13 DATE: September 22, 2020

  
14 UNITED STATES MAGISTRATE JUDGE